



GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

FISHERIES – Permission for regularizing the existing fresh water aquaculture and setting up of new aquaculture units in fresh water lands in the State – certain conditions proposed –Orders - Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (F.II) DEPARTMENT

G.O.Ms.No. 67.

Dated:12.9.2011.

Read the following:-

1. G.O.Ms.No.24, AHDD&F (F.II) Dept., dated. 09.4.2010.
2. G.O.Ms.No.47, AHDD&F (F.II) Dept., dt.24.6.2010.
3. Hon'ble High Court of A.P., Judgment dated.29.4.2011 in W.A.No.550 of 2010 in W.P.Nos.17991,13215,16066,11528,13266 and 14274 of 2010.
4. From the Commissioner of Fisheries, Hyderabad, Lr.No.6678/P2/2010, dated.23.5.2011.

ORDER:

In G.O. first read above, orders were issued for constituting the District Level Committee along with guidelines to be followed for regularizing the existing fresh water aquaculture and setting up of new aquaculture units in the State by superseding all the previous G.Os issued. In G.O. second read above, Government have also constituted a State Level Committee as competent authority for scrutiny and granting permission of all such fresh/new cases as recommended by the District Level Committees. The Government orders issued from time to time for regulating the fresh water aquaculture were questioned before the Hon'ble High Court through number of Writ Petitions for their validity in different contexts and in view of the provisions of Environment(protection) Act,2006 and the Agricultural land (Conversion for non-agricultural purposes) Act,2006. In the reference 3rd read above, the Hon'ble High Court of A.P. in its common judgment dt.29.4.2011 in W.A.No.550 of 2010 in W.P.Nos.17991,13215,16066,11528,13266 and 14274 of 2010 has disposed off the cases with certain directions. In pursuance of the High Court orders, the Commissioner of Fisheries, Hyderabad in his letter 4th read above has proposed to incorporate certain conditions in G.O.first read above.

2. Keeping in view of the directions of the Hon'ble High Court of A.P., and after careful consideration of the proposal of the Commissioner of Fisheries, Hyderabad, Government hereby incorporate the following additional conditions to G.O.Ms.No.24, AHDD&F (F.II) Department, dated.09.4.2010 for regulating the fresh water aquaculture in the state.

- 1) The land holders who intends to undertake fresh water aquaculture shall obtain the permission for conversion of agriculture land to non-agriculture purpose from the competent Authority (RDO/Sub Collector concerned) under Section 3 of the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006.
- 2) The land holders shall enclose a certificate of conversion of agricultural land into Non-Agriculture purpose duly obtained from the competent authority with their application form for getting the permission for undertaking aquaculture. If they fail to enclose such certificate, the application will be rejected.
- 3) The District Fisheries Officer, soon after receipt of the application along with the required documents shall send a copy of the application to the Tahsildar concerned and one copy to the Gram Panchayat concerned to display in the notice board to enable the adjacent farmers to raise objections 'if any' and their objections shall be taken into consideration before granting permission.

(P.T.O)

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- 4) While doing the aquaculture operations in the permitted land, if any complaint is received against the particular land that it is causing pollution, the District Fisheries Officer, has to refer the case to the Authority constituted under the environment Act through the District Collector with a request to suggest remedial measures. The suggestion shall be communicated to the Commissioner of Fisheries so as to circulate the file to State Level Committee for taking appropriate action.
- 5) A time limit upto 30.09.2011 is fixed for obtaining land conversion permissions from the competent authority for which the aquaculture licenses were already issued as per the G.O.Ms.No.83, dated:12.9.2007 and used the deemed provision under G.O.Ms.No.18, dated:26.03.2008, failing which the permission so granted shall be withdrawn and the District Collector/Chairman, District Level Committee should take necessary action to stop the aquaculture in those ponds.

3. The Commissioner of Fisheries, Hyderabad and the District Collectors concerned shall take immediate action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.BHALE RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
The Commissioner of Fisheries, AP., Hyderabad.
All District Collectors in the State.
All Members of the District Level Committees of
All Districts in the State.

Through: The Commissioner of Fisheries, Hyderabad.

Copy to:-
The Agriculture & Cooperation Department.
The Revenue Department.
The Panchayat Raj Department
The I&CAD (IW) Department.
The E.F.S.& T Department.
P.S. to Minister(AH,DD,F & VU)
P.S. to Spl. C.S. to Govt., AHDD&F Department.
SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER.